

REMARKS

This Amendment is in response to the Office Action of June 18, 2008 wherein the Examiner noted an omitted drawing, objected to the specification, and rejected claim 1.

The Examiner first pointed to the lack of a filed drawing. The drawing was included as part of the original PCT filing, WO 2005/001172 A1, (page 6 of 6) which accompanied the U.S. application. Another copy of the drawing is included as part of this amendment.

The Examiner next objected to the specification. Applicant has omitted the term "means" in the abstract, proper sectional headings have been provided, and patent RU 2109859D has been corrected to RU 2109859 C1 D 01 G 21/00. In light of these changes, applicant requests that the objection be withdrawn.

The Examiner rejected claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "cottonisation" is a derivative of the U.S. spelling of "cottonize", which is defined in the Oxford English Dictionary (1989) as "to reduce 'flax', 'hemp', etc.; short staple resembling cotton" and in Merriam-Webster's New International Dictionary, 3rd Version, as "to make like cotton; specif: to reduce 'flax', 'hemp'; to short cottony fiber".

Examiner is also concerned with what is done by the use of the following terms: "opening", "drying", "cottonisation", and "electro-hydraulic action". What is defined as "opening" and "drying" is commonly known in the treatment of flax fibre. (See *Best* 2,403,331; *Haughey* 2,070,273; *Litvan et al.* 2,721,358) Applicant clearly defines the terms "cottonisation" and "electro-hydraulic action" in the application. (See Detailed Description of the Invention) As stated above, cottonisation is to make the flax fibre cotton-like. Electro-hydraulic action is used in the cottonisation process where wet fibres are placed in a liquid where they are treated "by means of electric discharge between the electrodes."

Applicant believes that the above terms are well-defined and the use of which by applicant does not render applicant's claim as indefinite. As a result, applicant requests that the rejection be withdrawn and claim 1 be allowed.

The Examiner also rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by *Litvan et al.* 2,721,358.

The Examiner asserts that *Litvan et al.* teaches retting, cleaning, drying, and opening in the treatment of flax fibre. However, *Litvan et al.* does not teach the specific sequence of stages specified in the applicant's revised claim; more particularly, the opening of the fibres respectively before cleaning and retting, and after drying. It is also noted that *Litvan et al.* does not

disclose an electro-hydraulic cottonisation stage. Rather, *Litvan et al.* uses carding and spinning to achieve cottonisation.

Claim 1 is distinguishable over the prior art. As such, applicant requests that the rejection be withdrawn and claim 1 be allowed.

Applicant submits that given the submission of a drawing, changes to the specification and claim 1, the objections and rejections have been overcome and requests withdrawal of the objections and rejections.

The applicant submits that claim 1 should now be in condition for allowance.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read 'Randall T. Erickson', written over a horizontal line.

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